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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: §
§
Wangxia WANG et al §
§
Serial No.: 10/526,445 §
§
Filed: March 3, 2005 § Group Art Unit: 1656
§
For: DENATURANT STABLE AND/OR §
PROTEASE RESISTANT, §
CHAPERONE-LIKE OLIGOMERIC §
PROTEINS, POLYNUCLEOTIDES §
ENCODING SAME, THEIR USES §
AND METHODS OF INCREASING §
A SPECIFIC ACTIVITY THEREOF §
§ Attorney Docket: 29374
§
Examiner: Marsha M. Tsay §
§
Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

This is in response to the United States Patent and Trademark Restriction Office Action mailed December 17, 2008, which response is being made on or before January 17, 2009, and for which no extension of time fee is due.

As the species of the generic invention, Applicants hereby elect:
protein of an agent of a non-infectious disease.

It is believed that claims 132-136, 144 and 145 are readable on the elected species.

Applicants reserve the right to file, at a later date, additional divisional applications claiming priority from the present application which are directed to the non-elected Groups.

Applicant wishes to point out that Examiner's comment regarding the necessity for the restriction requirement because "...each inhibitor of angiogenesis is viewed as a distinct product that can be used for the method of the instant invention." (first paragraph of page 2 of the instant Office Action) is unclear, inasmuch as the pending claims do not include method claims, and the term "angiogenesis" is neither mentioned nor inferred in the claims and arguments filed on February 28, 2008. Clarification is respectfully requested.

Respectfully submitted,

Martin D. Moynihan

Martin D. Moynihan
Registration No. 40,338

Date: January 14, 2009